

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

DEBORAH R. DOUGLAS (NYBN 2099372)
Assistant United States Attorney

450 Golden Gate Avenue
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: deborah.r.douglas@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
EDITH NELSON, and)
RONALD NELSON,)
)
Defendants.)

No. CR 08-477-1 DLJ
No. CR 08-477-2 DLJ

**AMENDED STIPULATION AND
RESTITUTION ORDER FOR PAYMENT
OF BACK WAGES TO FORTY-NINE
INDIVIDUALS**

Plaintiff United States of America, by and through its attorney of record, and defendants Edith Nelson and Ronald Nelson, by and through their respective attorneys of record, hereby stipulate as follows:

1. On February 3, 2012, defendant Edith Nelson pled guilty to Conspiracy to Commit Bank Fraud and Wire Fraud, in violation of 18 U.S.C. § 1349; Monetary Transactions Using Criminally Derived Property, in violation of 18 U.S.C. § 1957(a); Income Tax Evasion, in violation of 26 U.S.C. § 7201; and Harboring of an Illegal Alien, in violation of 8 U.S.C. § 1324(a)(1)(A)(iii). Also on February 3, 2012, defendant Ronald Nelson pled guilty to Conspiracy to Commit Bank Fraud and Wire Fraud, in violation of 18 U.S.C. § 1349; Income Tax Evasion, in violation of 26 U.S.C. § 7201; and Harboring of an Illegal Alien, in violation of 8 U.S.C. § 1324(a)(1)(A)(iii).

1 2. On May 10, 2012, this Court sentenced defendants Edith Nelson and Ronald Nelson
2 pursuant to their plea agreements under Rule 11(c)(1)(C) of the Federal Rules of Criminal
3 Procedure. As part of their plea agreements, both defendants agreed to pay restitution in the total
4 amount of \$5,223,476.90 (plus interest and penalties on the restitution owed for income tax evasion)
5 as follows:

6 A. \$3,384,368.50 for mortgage loan fraud;

7 B. \$292,862 plus interest and penalties for income tax evasion; and

8 C. \$1,546,246.40 for the back wages of employees and former employees, as
9 determined by the U.S. Department of Labor.

10 3. The agreed upon restitution involved victims which are financial institutions and
11 government entities, such as the Federal Deposit Insurance Corporation and the Internal Revenue
12 Service, as well as individual victims. The government previously provided the defendants with
13 charts setting forth, *inter alia*, the names of the victims and the restitution owed to each of them.
14 The government represents that it has provided the addresses for payment of restitution to the U.S.
15 Office of Probation.

16 4. At the sentencing proceeding, this Court granted the United States' request that the
17 respective judgments indicate that the individual victims have priority for payment of restitution
18 over the lending institutions and government entities pursuant to 18 U.S.C. § 3664(i). This Court
19 directed that the parties submit stipulations and proposed orders setting forth the order of priority
20 for payment of restitution and the amount of restitution owed to each victim, as the parties had
21 agreed in entering into the respective plea agreements. With respect to defendants Edith Nelson and
22 Ronald Nelson, this Court directed that four separate stipulations and proposed orders be submitted
23 as follows: (1) individual victims of mortgage loan fraud; (2) forty-nine individual victims who are
24 owed back wages; (3) financial institutions who are victims of mortgage loan fraud; and (4) Internal
25 Revenue Service for payment of taxes owed.

26 5. The parties agree that, if the defendants make partial payments, the individual
27 victims of mortgage loan fraud as well as the individual victims who are owed back wages shall
28 receive approximately proportional payments until full restitution is paid to all of the individual

victims. After all of the individual victims are paid restitution in full, the financial institutions who are victims of mortgage loan fraud shall receive approximately proportional payments of restitution until full restitution is paid to those financial institutions. After all of the financial institution victims are paid restitution in full, the Federal Deposit Insurance Corporation (“FDIC”), a quasi-governmental entity, shall receive all restitution payments until the FDIC is paid in full. After the FDIC is paid full restitution, the Internal Revenue Service (“IRS”) shall receive all remaining payments until full restitution is made to the IRS, including interest and penalties on the taxes owed.

6. The parties agree that defendants Edith Nelson and Ronald Nelson shall pay, jointly and severally, restitution in back wages owed to forty-nine individual victims listed in the chart below in the specified amounts, totally \$1,546,246.40.

Item No.	Defendants (Jointly & Severally Liable)	Joint & Several Restitution	Name of Victims
1	Edith Nelson & Ronald Nelson	\$ 3,534.67	Mark Aguilar
2	Edith Nelson & Ronald Nelson	\$ 42.00	Patricia Aguon
3	Edith Nelson & Ronald Nelson	\$ 259.72	Jaime Alvarado
4	Edith Nelson & Ronald Nelson	\$ 506.53	Francisco J. Alvarez
5	Edith Nelson & Ronald Nelson	\$ 155.56	Patricia Argueta
6	Edith Nelson & Ronald Nelson	\$ 43,011.60	Arturo Bariuad
7	Edith Nelson & Ronald Nelson	\$ 1,412.08	Mary R. Bautista
8	Edith Nelson & Ronald Nelson	\$ 4,742.00	Rosebella Bort
9	Edith Nelson & Ronald Nelson	\$ 25,083.81	Lee Cabatingan
10	Edith Nelson & Ronald Nelson	\$132,811.77	Lorenzo Cannu
11	Edith Nelson & Ronald Nelson	\$ 8,783.60	Elenita Capito
12	Edith Nelson & Ronald Nelson	\$ 208.33	Porsche Collins

13	Edith Nelson & Ronald Nelson	\$ 88,016.32	Ariel Diaz
14	Edith Nelson & Ronald Nelson	\$ 400.00	Francisco Dimatulac
15	Edith Nelson & Ronald Nelson	\$ 400.00	Josephina Dimatulac
16	Edith Nelson & Ronald Nelson	\$ 2,479.87	Carlos Dowai
17	Edith Nelson & Ronald Nelson	\$ 583.33	John Dowai
18	Edith Nelson & Ronald Nelson	\$ 5,412.75	Rosita Dowai
19	Edith Nelson & Ronald Nelson	\$ 139.96	Taitano Esperanza
20	Edith Nelson & Ronald Nelson	\$ 156.00	Carmelita Flores
21	Edith Nelson & Ronald Nelson	\$ 1,659.72	Adlai Grutas
22	Edith Nelson & Ronald Nelson	\$ 1,659.72	Jay Grutas
23	Edith Nelson & Ronald Nelson	\$ 3,223.12	Katherine Grutas
24	Edith Nelson & Ronald Nelson	\$177,345.85	Jeanette Guillamun
25	Edith Nelson & Ronald Nelson	\$ 4,512.57	Norma Igueldo
26	Edith Nelson & Ronald Nelson	\$214,906.45	Susan Ilagan
27	Edith Nelson & Ronald Nelson	\$ 76,700.02	Maria Lejano
28	Edith Nelson & Ronald Nelson	\$ 3,461.19	Delia Macaraeg
29	Edith Nelson & Ronald Nelson	\$133,734.00	Anita Maranan
30	Edith Nelson & Ronald Nelson	\$ 223.20	Maggie Matagolai
31	Edith Nelson & Ronald Nelson	\$ 233.75	Maria Mendoza
32	Edith Nelson & Ronald Nelson	\$ 126.00	Ednalin Naldo

33	Edith Nelson & Ronald Nelson	\$ 276.00	Bernard Neth
34	Edith Nelson & Ronald Nelson	\$ 785.69	Lucia Ngitong
35	Edith Nelson & Ronald Nelson	\$ 444.44	Andrew Parabok
36	Edith Nelson & Ronald Nelson	\$ 1,729.96	Jose Razana
37	Edith Nelson & Ronald Nelson	\$ 79.20	Elaine Rios
38	Edith Nelson & Ronald Nelson	\$ 1,321.20	Vincent E. Rios
39	Edith Nelson & Ronald Nelson	\$139,685.54	Maria Rubio
40	Edith Nelson & Ronald Nelson	\$147,066.00	Marife Caro Perez (formerly Marife Rubio)
41	Edith Nelson & Ronald Nelson	\$218,329.54	Rogelio Rubio
42	Edith Nelson & Ronald Nelson	\$ 675.40	Ismael Sagge
43	Edith Nelson & Ronald Nelson	\$ 601.18	Steve Salazar
44	Edith Nelson & Ronald Nelson	\$ 856.25	Ronda Sugar
45	Edith Nelson & Ronald Nelson	\$ 2,515.75	Merly Taberna
46	Edith Nelson & Ronald Nelson	\$ 643.72	Vincent Taisacan
47	Edith Nelson & Ronald Nelson	\$ 223.94	Juanita Tanafranca
48	Edith Nelson & Ronald Nelson	\$ 93,101.11	Felicette Ugot
49	Edith Nelson & Ronald Nelson	\$ 1,985.99	Danilo Yu
Total Restitution		\$1,546,246.40	

1 IT IS SO STIPULATED.

2 Dated: July 18, 2012

Respectfully submitted,

3 MELINDA HAAG
4 United States Attorney

5 /s/
6 DEBORAH R. DOUGLAS
Assistant United States Attorney

7 Dated: July 18, 2012

8 /s/
9 JOYCE LEAVITT
Assistant Federal Public Defender
Attorney for Defendant Edith Nelson

10 Dated: July 18, 2012

11 /s/
12 GILBERT EISENBERG
Attorney for Defendant Ronald Nelson

13 ORDER

14 Based upon the parties' stipulation and plea agreements, IT IS HEREBY ORDERED that
15 defendants Edith Nelson and Ronald Nelson shall pay, jointly and severally, restitution owed in back
16 wages to the individuals listed in the stipulation in the specified amounts, totaling \$1,546,246.40.

17 IT IS FURTHER ORDERED that the Clerk's Office shall not disclose the addresses of the
18 individuals victims to the defendants or the public.

19 IT IS SO ORDERED.

20 Dated: July G, 2012

21 
22 HONORABLE D. LOWELL JENSEN
23 SENIOR UNITED STATES DISTRICT JUDGE
24
25
26
27
28